

said fluid control apparatus comprising:

an irrigation fluid conduit means for conducting irrigation fluid from a source of irrigation fluid to the surgical site.

an aspiration fluid conduit means for removing fluid from the surgical site.

a controllable pump means in fluid communication with said aspiration fluid conduit for providing suction in said aspiration fluid conduit means.

I2
a pressure sensitive transducer means communicating with said aspiration fluid conduit means for generating a pump control signal for said controllable pump means proportional to the vacuum in said aspiration fluid conduit induced by said pump means.

said transducer senses a vacuum rise in said aspiration fluid conduit means, and

said pump control signal causes said controllable pump means to quickly shut off when the vacuum in said aspiration fluid conduit means exceeds a predetermined value.

Cancel claim 56 of the Amendment filed February 25, 1988.

REMARKS:

The foregoing is submitted in an effort to clarify a numbering problem that has occurred with regard to the claims of the present invention.

The following represents a history of allowance the present application claims.

A. Parent Case Serial No. 865,360

By way of background, the present application Serial No.

105,978 filed October 6, 1987 is a File Wrapper Continuation (FWC) application of Serial No. 865,360 which was filed May 21, 1986. In the latter application, originally presented claims 1-8 were cancelled and claims 9-33 were added by an Amendment. A Supplemental Amendment added claims 34-43.

In the Office Action mailed June 30, 1987, claims 9-20 were allowed, claims 21-26 were rejected; claims 27-33 were allowed; claims 34-43 were rejected.

B. Present Application

Applicant filed the present application along with a Preliminary Amendment and a Request that a non-entered Amendment After Final submitted in the noted parent case be entered. The Preliminary Amendment also added new claims 49-57.

Renumbered claims 48-56 were indicated as being allowed in the February 11, 1988 Office Action. It should be noted that the numbering of this set of claims was changed by the Examiner, but actually correspond to correctly numbered claims 49-57 (submitted in the noted Preliminary Amendment to the instant application).

Subsequent to the Office Action mailed February 11, 1988 applicant submitted a new amendment in the communication filed February 25, 1988 which was considered and entered and which added different set of claims 49-56. These claims are allowed by Office Action mailed May 18, 1988 and which allowance was corroborated by the Advisory Action mailed June 21, 1988.

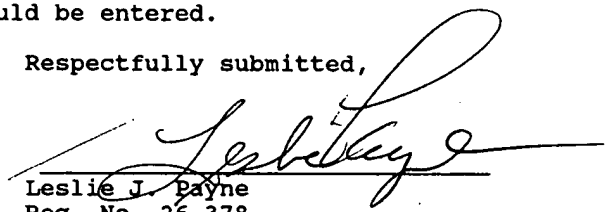
The Advisory Action held all application claims allowed except for claims 21, 34, 38, 42 and 43. These latter claims were cancelled.

By virtue of the present amendment, the claims 49-56 (submitted on 02/25/88) have been amended so that Claim 56 is cancelled and claims 49-55 have been renumbered as 58-64,

respectively, and placed in proper form.

In view of the foregoing, all pending claims except those previously cancelled have been allowed. Since the foregoing raises adds no new claims or issues all claims are patentable and the amendment should be entered.

Respectfully submitted,



Leslie J. Payne
Reg. No. 26,378

Date: January 9, 1989

Vorys, Sater, Seymour & Pease
1828 L Street, N.W.
Suite 1111
Washington, D.C. 20036
(202) 822-8200